

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

CIVIL NO. 5:98CV92

JAMES R. BARNES and wife DOROTHY BARNES,)
GRADY H. BEARD and wife SUZY BEARD,)
WAYNE BEHELER,)
LARRY K. BROOME and wife TREVA E. BROOME,)
SHARON COBB, Executrix of the Estate of)
ORVIL L. CUPP, Deceased,)
CURTIS CUTHBERTSON, Administrator of)
The Estate of HOY V. CUTHBERTSON, Deceased,)
ROGER D. CHURCH and wife LORETTA CHURCH)
JAMES L. COBB and wife REBEKAH COBB,)
BARNEY M. GRANT and wife HAZEL GRANT,)
E.F. GREENE, JR.,)
BENJAMIN GROGAN and wife HELEN D. GROGAN,))
JOEANN S. HANCOCK, Individually and as)
Representative of the Estate of MARION HANCOCK,)
Deceased,)
JERRY LEE HEWELL and wife JANICE HEWELL,)
BETTY S. HONGISTO, Executrix of the Estate of)
IVER OSCAR HONGISTO, Deceased)
VIRGINIA F. HORNE, Individually And as Executrix)
of the Estate of JIMMY R. HORNE, Deceased,)
ALTON L. HUGHES, and wife, LENA M. HUGHES,)
WILLIAM D. JOYCE and wife PATSY JOYCE,)
ROBERT L. MAUNEY and wife TERESA MAUNEY,)
CHARLES M. MCGINNIS and wife AVA MCGINNIS)
ROGER D. PHILLIPS,)
GERALD W. RICHARDS and wife SUSAN RICHARDS)

Plaintiffs

v.

AcandS Inc. *et al*,

Defendants.

LEAD CASE:
BARNES

Civil No. .
5:98-CV-00092

ORDER OF DISMISSAL

THIS MATTER is before the Court upon motion by Plaintiffs James R. Barnes and wife Dorothy Barnes; Grady H. Beard and wife Suzy Beard; Wayne Beheler; Larry K. Broome and wife Treva E. Broome; Sharon Cobb, Executrix of the Estate of Orvill L. Cupp, deceased; Curtis Cuthbertson, Administrator of the Estate of Hoy V. Cuthbertson, deceased; Roger D. Church and wife Loretta Church; James L. Cobb and wife Rebekah Cobb; Barney M. Grant and wife Hazel Grant; E.F. Greene, Jr.; Benjamin Grogan and wife Helen D. Grogan; Joeann S. Hancock, Individually and as Representative of the Estate of Marion Hancock, deceased; Jerry Lee Hewell and wife Janice Hewell; Betty S. Hongisto, Executrix of the Estate of Iver Oscar Hongisto, deceased; Virginia F. Horne, Individually and as Executrix of the Estate of Jimmy R. Horne, deceased; Alton L. Hughes, and wife Lena M. Hughes; William D. Joyce and wife Patsy Joyce; Robert L. Mauney and wife Teresa Mauney; Charles M. McGinnis and wife Ava McGinnis; Roger D. Phillips; and Gerald W. Richards and Susan Richards, to dismiss Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, with prejudice.

It appears that good cause exists to permit Plaintiffs to do so,

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the Plaintiffs' motion is **ALLOWED**, and the claims of Plaintiffs James R. Barnes and wife Dorothy Barnes; Grady H. Beard and wife Suzy Beard; Wayne Beheler; Larry K. Broome and wife Treva E. Broome; Sharon Cobb, Executrix of the Estate of Orvill L. Cupp, deceased; Curtis Cuthbertson, Administrator of the Estate of Hoy V. Cuthbertson, deceased; Roger D. Church and wife Loretta Church; James L. Cobb and wife Rebekah Cobb; Barney M. Grant and wife Hazel

Grant; E.F. Greene, Jr.; Benjamin Grogan and wife Helen D. Grogan; Joeann S. Hancock, Individually and as Representative of the Estate of Marion Hancock, deceased; Jerry Lee Hewell and wife Janice Hewell; Betty S. Hongisto, Executrix of the Estate of Iver Oscar Hongisto, deceased; Virginia F. Horne, Individually and as Executrix of the Estate of Jimmy R. Horne, deceased; Alton L. Hughes, and wife Lena M. Hughes; William D. Joyce and wife Patsy Joyce; Robert L. Mauney and wife Teresa Mauney; Charles M. McGinnis and wife Ava McGinnis; Roger D. Phillips; and Gerald W. Richards and Susan Richards, against Defendant CBS / Westinghouse, are hereby **DISMISSED WITH PREJUDICE**.

Signed: January 19, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

